

California NOW News

Published by the California National Organization for Women

March 1991

California's Family Registry

According to a recent study, only 15% of the households in the United States are comprised of the standard working husband, at-home wife and children. However, families that do not fit this description, although in the majority, have not been recognized as such. Finally, this is changing.

Due to the Family Diversity Project, there are now hundreds of diverse households in California who have registered with the Secretary of State's office as a family.

This is possible because of a section in the California Corporations Code which enables people to declare themselves as "unincorporated non-profit associations."

When people register as a family, they receive a certificate that declares them "The Family of" or "The Household of" Jane Doe, for example. All members of the family may be listed on the registration, including children.

The registration has been beneficial to gay couples, stepfamilies, and fosterfamilies.

The families who have registered thus far are of various configurations. For example, one of the first few families to register was a same sex couple who had lived together for many years. They decided to register with the Secretary of State's office "hoping that such a registration will be useful to families who have historically been denied social and legal recognition as well as economic benefits."

Other families include a married couple with stepchildren, and although not all of the children are related by blood, they all think of themselves as brothers and sisters. Family registry in these types of cases is especially helpful if a stepfamily that is living together desires family recognition yet the biological parent is still living, therefore making adoption by the step-parent an unlikely possibility.

Another example of family registration include guardianship families or fosterparents who want all the children to feel part of the family so the fosterchildren will not otherwise view themselves as outsiders.

The family registry, however still does not afford people the same rights as those members of the more traditional families. Anthony Miller, Chief of Staff to Secretary of State March Fong Eu, states that the registration "has no known tax or legal consequences and confers no automatic benefits beyond the sentimental."

While it is true that registration as a family association does not automatically grant legal benefits, families could be recognized, along with other "appropriate evidence," by courts, administrative agencies, or private sector organizations, according to the report submitted by the Family Diversity Project. For example, being acknowledged as a family may be helpful to government workers who need to take time off from work to care for a sick family member. Those who need to take bereavement leave could also benefit from the family registry. Also, health services could possibly be provided for family members of government or private sector employees.

Being able to visit a sick family member is something many of us take for granted, but hospital visitation rights have been historically denied those persons not of the "immediate family" for patients in long term health care or community care facilities. Thus, longtime partners of AIDS victims have been unable to visit their loved ones because they are not considered "family."

Other benefits of family registration may include being able to receive unemployment compensation in order to relocate with a partner to preserve a family unit as long as a "significant family necessity requires relocating." There is also the possibility of being able to borrow money

from a credit union as a partner of a member of the credit union.

There are indeed many benefits to family registry as Thomas Coleman, Executive Director of the Family Diversity Project, points out. But he also states that it is important to be aware of a few things. "Family registry is not for everyone," Coleman says. "For example, if someone who has been receiving AFDC benefits registers with a working partner, there is a possibility that benefits would be cut. This is certainly not to discourage anyone from registering, but should be noted as a word of caution." Coleman also said that it is important to keep a copy of your registration handy in order to provide verification.

Moreover, Coleman pointed out that you can also choose to define the relationships in your family by filing a statement of principle, or motto, either as a primary relationship family or secondary relationship family. If you register as a couple in a primary relationship, you can set forth levels of interdependency, cohabitation and joint financial arrangements which lend more "credibility" to the couple or unit as a family, especially in the court system. A secondary relationship is considered more of a moral, not legal, statement of love or companionship, similar to sibling relationships.

There are registrations also taking place at the local level in San Francisco and West Hollywood, but children or persons related by blood cannot register as they can at the state level.

Of course, the Family Registry is not without opposition. The Traditional Values Coalition is blasting the registry as a way to allow "homosexuals to register their unholy matrimony as a family." So far, a spot bill, which merely holds a place for a bill and offers no substantive change in the law until further amended, has been introduced by Senator Newton Russell regarding this issue. California NOW's lobbyist, Kate Sproul, has noted that NOW will be watching to see if there will be any amendments made by Russell.

For more information about the Family Registry, contact the Spectrum Institute, P.O. Box 65756, Los Angeles, CA, (213) 258-8955

by Kerry Flynn